AMENDMENTS TO THE CLAIMS

The listing of claims will replace all prior versions, and listings, of claims in the application.

1.   (Currently Amended) A method of scoring data for use in a search engine, comprising:

tracking clicks by users on data returned in a search result in response to a query;

determining a user preference for a clicked data in accordance with a physical position of the clicked data in the search result, wherein determining a the user preference for the clicked data is performed by:

determining a ratio calculating the quotient of actual clicks to the clicked data and a specific query and clicks expected for the clicked data and a the specific query, and

wherein determining clicks expected for the clicked data and the specific query is performed by determining a context dependent user preference score in accordance with a weight table that comprises a weight for the clicked data in accordance with physical position and is keyed to one of a plurality of types of user interfaces; and

using the determined user preference to determine rankings for display of future search results.

2.   (Original) The method of claim 1, wherein determining a user preference for a clicked data is further performed in accordance with a number of clicks made by users on the data returned in the search result.

3.   (Cancelled)

4.   (Original) The method of claim 1, wherein determining a user preference is performed periodically.

5.   (Original) The method of claim 1, wherein determining a user preference is performed weekly.

6.   (Original) The method of claim 1, wherein determining a user preference is performed in real time.

7.   (Original) The method of claim 1, further comprising determining values in a weight table based on user preferences for physical positions within search results independent of a query.

8.   (Original) The method of claim 1, wherein determining a user preference for a clicked data in accordance with a physical position of the data in the search result is performed in accordance with weight values determined by observed user click behavior.

9.   (Original) The method of claim 1, wherein determining a user preference for a clicked data in accordance with a physical position of the data in the search result is performed in accordance with weight values determined by trial and error.

10.   (Original) The method of claim 1, wherein tracking clicks by users includes tracking: a query, a data fingerprint, and a position in the search results for a click on data from a search result for a specific query.

11.   (Original) The method of claim 10, wherein tracking clicks by users further includes tracking: a time the click occurred and user ID information.

12.   (Original) The method of claim 1, wherein determining a user

preference further includes weighting click information so that clicks by users on data in unpopular positions in the search result migrate that data toward the top of future search results.

13.   (Original) The method of claim 1, further including normalizing the click information before the determining step.

14.   (Original) The method of claim 1, wherein the data is image data.

15.   (Original) The method of claim 1, wherein the data is shopping data.

16.   (Original) The method of claim 1, wherein the data is textual data.

17.   (Cancelled)

18.   (Original) The method of claim 1, wherein determining a user preference includes determining context dependent user preference scores in accordance with a characteristic of the users clicking on the search results.

19.   (Currently Amended) An apparatus that scores data for use in a search engine, comprising:

a module that tracks clicks by users on data returned in a search result in response to a query; and

a module that determines a user preference for a clicked data in accordance with a physical position of the clicked data in the search result, wherein determining a the user preference for the clicked data is performed by:

determining a ratio calculating the quotient of actual clicks to the clicked data and a specific query and clicks expected for the clicked data and a the specific query, and

wherein determining clicks expected for the clicked data and the specific query is performed by determining a context dependent user preference score in accordance with a weight table that comprises a weight for the clicked data in accordance with physical position and is keyed to one of a plurality of types of user interfaces; and

a module that uses the determined user preference to determine rankings for display of future search results.

20.   (Original) The apparatus of claim 19, wherein determining a user preference for a clicked data is further performed in accordance with a number of clicks made by users on the data returned in the search result.

21.   (Original) The apparatus of claim 19, wherein determining a user preference for a clicked data in accordance with a physical position of the data in the search result is performed in accordance with weight values determined by observed user click behavior.

22.   (Original) The apparatus of claim 19, wherein determining a user preference further includes weighting click information so that clicks by users on data in unpopular positions in the search result migrate that data toward the top of future search results.

23.   (Original) The apparatus of claim 19, wherein the data is image data.

24.   (Original) The apparatus of claim 19, wherein determining a user preference uses a plurality of weight tables corresponding to ones of a plurality of user interfaces displaying the search result.

25.   (Currently Amended) A computer program product, including computer instructions on a computer-readable medium, the instructions capable of causing a computer to perform the following:

tracking clicks by users on data returned in a search result in response to a query; and

determining a user preference for a clicked data in accordance with a physical position of the clicked data in the search result, wherein determining a the user preference for the clicked data is performed by:

determining a ratio calculating the quotient of actual clicks to the clicked data and a specific query and clicks expected for the clicked data and a the specific query, and

wherein determining clicks expected for the clicked data and the specific query is performed by determining a context dependent user preference score in accordance with a weight table that comprises a weight for the clicked data in accordance with physical position and is keyed to one of a plurality of types of user interfaces; and

using the determined user preference to determine rankings for display of future search results.